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December 13, 2010

BY E-FILE

Ms. Cynthia Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E. Street, SW
Washington, DC 20423

**Re: STB Docket EP 526 (Sub - No. 2) Notice of Rail Transportation Advisory
Council Vacancies**

Dear Ms. Brown:

This letter is in response to the decision served in the referenced proceeding on November 10, 2010, which provided notices of two vacancies on the Railroad-Shipper Advisory Council (RSTAC). One of the vacancies described is a voting representative from a small rail shipper. The decision requested that suggestions for candidates to fill this position be filed by December 13, 2010. The undersigned requests that the Board consider Dr. Howard I. Kaplan of U.S. Magnesium, LLC for this position. U.S. Magnesium is located in Salt Lake City, Utah, and, as an outgrowth of its primary magnesium production, annually ships relatively small volumes of chlorine and sulfuric acid by railroad. Dr. Kaplan has been employed by U.S. Magnesium for 29 years, and presently serves in the position of Vice President, Chemicals and Byproducts. In this and prior positions Dr. Kaplan has handled the company's railroad contracting and logistical matters, making him extremely qualified to serve on the RSTAC. Dr. Kaplan has authorized the undersigned to inform the Board that he is interested in filling this position and is willing to serve as a member of RSTAC for a three-year term beginning immediately upon appointment and ending December 31, 2013.

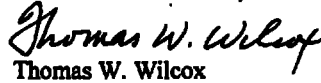
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Dr. Kaplan's contact information is provided below:

Dr. Howard I. Kaplan
Vice President, Chemicals and Byproducts
U.S. Magnesium LLC
238 North 2200 West
Salt Lake City, Utah 84116
(801) 556-0199

Thank you in advance for the consideration of Dr. Kaplan for this position. Please contact the undersigned or Dr. Kaplan directly if you have any questions.

Very truly yours,


Thomas W. Wilcox

cc: Dr. Howard I. Kaplan